

After Recording Return To:
City of Winter Park, City Clerk's Office
401 Park Avenue South
Winter Park, Florida 32789

ORDINANCE 3363-25

AN ORDINANCE OF THE CITY OF WINTER PARK, FLORIDA, APPROVING THE PARTIAL TERMINATION OF THE PLAT DEDICATED SIX FOOT WIDE UTILITY EASEMENT CREATED BY THE DOMMERICH COVE PLAT RECORDED AT PLAT BOOK Z, PAGE 21, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA WITHIN THE BOUNDARIES OF THE PROPERTY LOCATED AT 2923 COVE TRAIL AND HAVING ORANGE COUNTY TAX PARCEL NUMBER 29-21-30-2122-00-140; PROVIDING FOR CONFLICTS, SEVERABILITY, AN EFFECTIVE DATE AND RECORDING.

WHEREAS, there are plat dedicated utility easements within the boundaries of the property located at 2923 Cove Trail Cove, Winter Park, Florida, and legally described to wit: Lot 14 and the West 21 feet of Lot 18, Dommerich Cove, according to the plat thereof, as recorded in Plat Book Z, Page 21, Public Records of Orange County, Florida ("Applicant's Property"); and

WHEREAS, Applicant has filed an application to partially terminate the utility easements within the boundaries of the Applicant's Property dedicated to the public by a plat note on the Dommerich Cove Plat recorded at Plat Book Z, Page 21, Public Records of Orange County, Florida ; and

WHEREAS, the current fee simple owner of the Applicant's Property has joined into and consented to the request made by the Applicant; and

WHEREAS, it has been determined that fee simple owner has paid all outstanding ad valorem taxes for Applicant's Property; and

WHEREAS, the City of Winter Park has authority to adopt this Ordinance by virtue of its home rule powers and Charter, including with respect to abandoning rights-of-way and easements no longer needed for municipal or public purposes; and

WHEREAS, the City has determined that the portion of the utility easement vacated and/or terminated herein are no longer needed by the City of Winter Park; and

WHEREAS, the City Commission finds that this Ordinance is in the best interest of the public safety, health and welfare.

NOW, THEREFORE, BE IT ENACTED by the City of Winter Park, Florida as follows:

Section 1. Partial Vacation of Plat Dedicated Utility Easements within the Applicant's Property. The City Commission hereby vacates and abandons a portion of the plat dedicated utility easements located within the Applicant's Property in area described to wit:

Parcel 1:

The East 6 feet of Lot 14, DOMMERICH COVE, according to the Plat thereof, as recorded in Plat Book Z, Page 21, of the Public Records of Orange County, Florida.

Less and except the North 6 feet thereof.

Parcel 2:

The West 6 feet of Lot 18, DOMMERICH COVE, according to the Plat thereof, as recorded in Plat Book Z, Page 21, of the Public Records of Orange Country, Florida.

Less and except the North 6 feet thereof.

Except to the extent being partially vacated as described above, the plat dedicated utility easements shall remain in full force and effect.

Section 2. Conflicts. In the event of any conflict between this Ordinance and any other ordinance or portions of ordinances, this Ordinance controls to the extent of the conflict.

Section 3. Severability. If any section, subsection, sentence, clause, phrase, word or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Effective. This Ordinance shall take effect immediately upon its passage and adoption.

Section 5. Recording. This Ordinance shall be recorded in the public records of Orange County, Florida.

ADOPTED at a regular meeting of the City Commission of the City of Winter Park, Florida, held at City Hall, Winter Park, Florida, on the 11th day of February, 2026.

Shelia DeCiccio, Mayor

ATTEST:

Kim Breland, Deputy City Clerk